

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ROLAND C. ANDERSON,	:
	:
Plaintiff,	:
	:
v.	: Civil Action No. 05-877-JJF
	:
GENERAL MOTORS CORP.,	:
	:
Defendant.	:

ORDER

WHEREAS, on June 14, 2007, Plaintiff filed a Motion To Stay pending appeal of the Court's Order and accompanying Memorandum Opinion issued May 29, 2007 denying Plaintiff's Motion For Default Judgment (D.I. 39);

WHEREAS, on June 26, 2007, Plaintiff filed a Motion To Stay requesting that the Court stay discovery until the appeal is resolved (D.I. 43);

WHEREAS, on June 27, 2007, Defendant filed its objections in response to Plaintiff's Motions and requested that the discovery deadline be extended if the stay is not granted (D.I. 42);

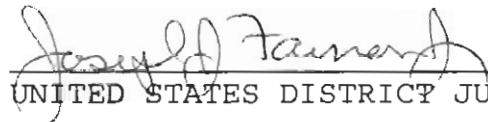
WHEREAS, it is well settled that a party seeking a stay pending appeal must show that the following four factors are met: 1) that he will likely prevail on the merits of the appeal; 2) that he will suffer irreparable injury if the stay is denied; 3) that other parties will not be substantially harmed by the stay; and 4) that the public interest will be served by granting the stay, see The First Amendment Coalition v. Judicial Inquiry and Review Board, 584 F.Supp. 635, 636 (E.D. Pa. 1984);

WHEREAS, upon review of the factors, the Court concludes that a stay pending appeal is not warranted;

NOW THEREFORE, IT IS HEREBY ORDERED that:

- 1) Plaintiff's Motions To Stay (D.I. 39, 43) are **DENIED**;
- 2) The deadline for fact discovery is extended until **October 12, 2007**;
- 3) The deadline for filing case dispositive motions is extended until **November 9, 2007**.

August 16, 2007

  
UNITED STATES DISTRICT JUDGE